

ORDINANCE NO. 20080110-071

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1405 AND 1415 EAST RIVERSIDE DRIVE FROM FAMILY RESIDENCE (SF-3) DISTRICT AND LIMITED OFFICE (LO) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district and limited office (LO) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-04-0030, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.061 acre tract of land, more or less, out of the Santiago Del Valle Grant in the City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Lot 2, Block A, The Schuler Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200300013, of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 1405 and 1415 East Riverside Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property shall comply with the following:
 - 1. The maximum impervious cover is 85 percent.
 - 2. Non-residential uses of the Property may not exceed 35,000 square feet of gross floor area.

3. Except as provided in Subsection 4, the maximum number of residential units is 45.
4. The number of residential units may increase to 65 if development complies with Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).
5. No development, except for landscaping, screening, or underground drainage and utility crossings, is allowed on Lots 15 and 16, Block 12, Bellvue Park Subdivision.

B. The following uses are prohibited uses of the Property:

Automotive repair services
Automotive sales
Pawn shop services


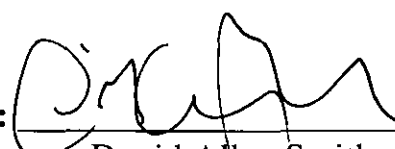
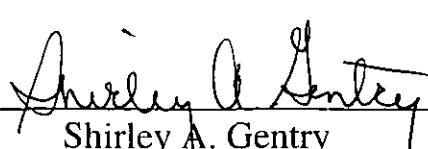
Automotive rentals
Automotive washing (of any type)
Service station

C. Drive-in service is prohibited as an accessory use to a commercial use.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on January 21, 2008.

PASSED AND APPROVED

January 10, 2008	§ § §	 Will Wynn Mayor
APPROVED:  David Allan Smith City Attorney	ATTEST:	 Shirley A. Gentry City Clerk

FIELD NOTES
FOR

EXHIBIT A

1.061 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 0.726 ACRE TRACT OF LAND DESIGNATED AS TRACT 3 AND A PORTION OF THAT CERTAIN 1.108 ACRE TRACT OF LAND DESIGNATED AS TRACT 4 AS CONVEYED TO PAUL CAMERON, TRUSTEE OF THE SCHULER FAMILY TRUST OF 1998 BY INSTRUMENT RECORDED IN DOCUMENT NO. 2002055238 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron pin found at the Northeast corner of said Tract 4, being at the intersection of the South r.o.w. line of East Riverside Drive and the West r.o.w. line of Summit Street for the PLACE OF BEGINNING hereof;

THENCE along the East line of said Tract 4, being along the West r.o.w. line of Summit Street, S 07°20'48" E for a distance of 144.92 feet to a ½ inch iron pin found at the Southeast corner of said Tract 4;

THENCE along the South line of said Tract 4 for the following courses:

N 59°24'28" W for a distance of 150.85 feet to an angle point

N 29°30'21" E for a distance of 28.03 feet to a ½ inch iron pin found at an angle point

N 58°57'47" W for a distance of 50.13 feet to the corner of a stone wall at an angle point

S 29°27'49" W for a distance of 124.18 feet to the corner of a stone wall at an angle point

N 57°22'15" W for a distance of 100.07 feet to a ¾ inch iron pipe found at the Southwest corner of said Tract 4;

THENCE along the West line of said Tract 4, N 29°43'48" E for a distance of 120.81 feet to a ¾ inch iron pipe found at an angle point and N 59°33'08" W for a distance of 41.00 feet to an angle point in the West line of said Tract 4, being at the Southeast corner of said Tract 3;

THENCE along the South line of said Tract 3, N 59°33'08" W for a distance of 38.98 feet to a drill hole found in a rock and concrete wall, being at the Southeast corner of Lot 2, Block A, The Schuler Subdivision, a subdivision recorded in Document No. 200300013 of the Official Public Records of Travis County, Texas;

FIELD NOTES
FOR

1.061 ACRES OF LAND - Page Two

THENCE along the East line of said Lot 2, N 79°46'25" E for a distance of 73.57 feet to a ½ inch capped iron pin found and N 39°37'23" E for a distance of 88.17 feet to a ½ inch capped iron pin found at the Northeast corner of said Lot 2, being in the North line of said Tract 4, being in the South r.o.w. line of East Riverside Drive, for the Northwest corner hereof;

THENCE along the North line of said Tract 4, being along the South r.o.w. line of East Riverside Drive, S 46°54'28" E for a distance of 227.64 feet to the PLACE OF BEGINNING and containing 1.061 acres of land, more or less.

SURVEYED BY:

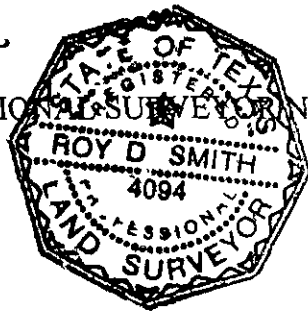
Roy D. Smith Surveyors, P.C.

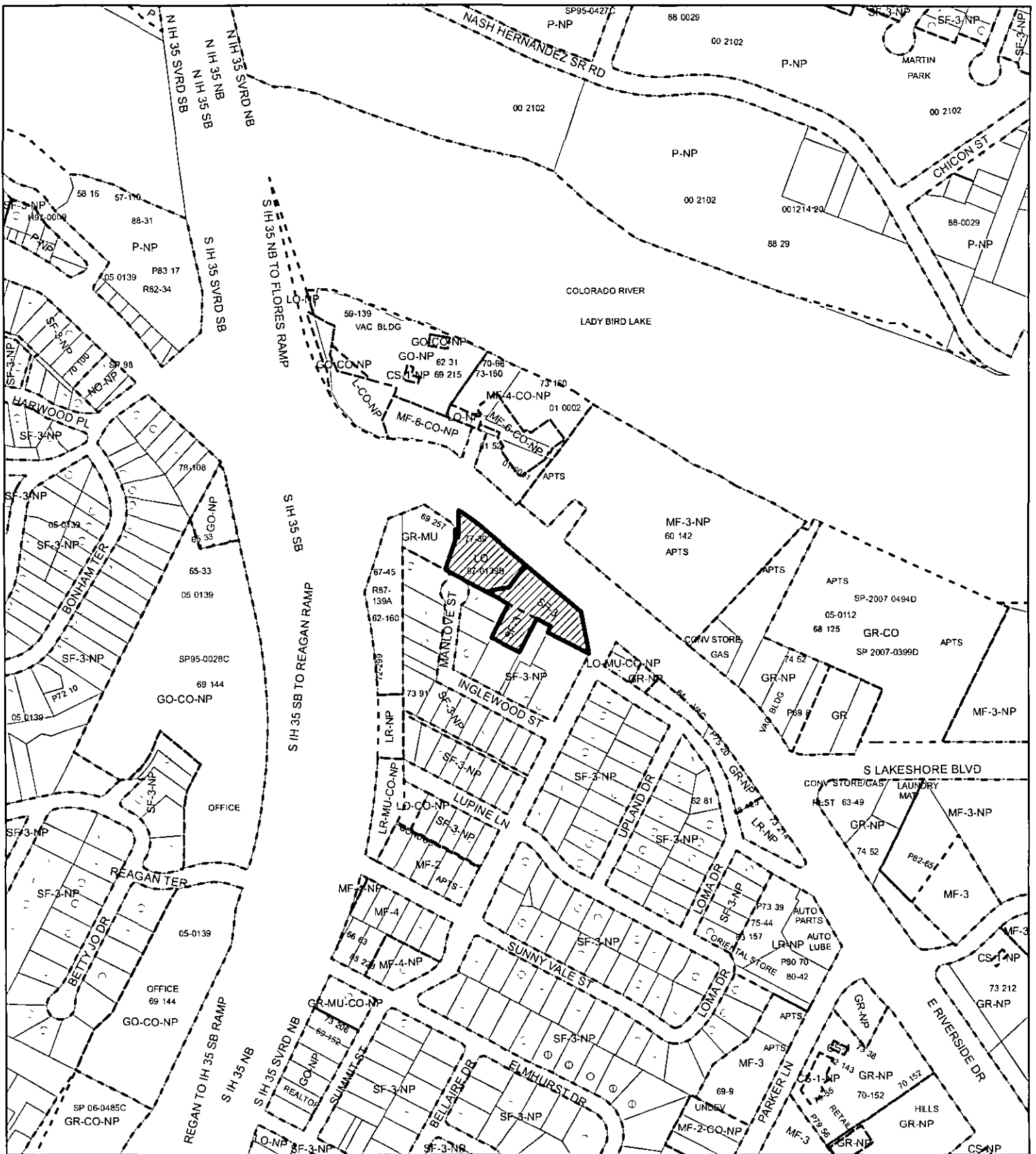

ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094

January 13, 2004




1.061 ac. - Schuler Fam.





ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE# C14-04-0030
 ADDRESS 1405 & 1415 E RIVERSIDE DR
 SUBJECT AREA 1.870 ACRES
 GRID J20
 MANAGER R. HEIL

OPERATOR S MEEKS

1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

